

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
JACKIE HODGE,

Plaintiff,

-against-

09 CV 0101 (ARR)(MDG)

THE CITY OF NEW YORK, POLICE OFFICERS
ALFREDO BREWSTER SHIELD #18382 AND CARLOS
ROLDAN SHIELD #4885 OF THE 60TH PRECINCT
PSA1 SOUTH BROOKLYN,

Defendants.
-----X

**Stipulation and Order of Settlement and Discontinuance of all
Claims**

WHEREAS, plaintiff Jackie Hodge commenced this action on or about January 12, 2009, seeking damages for false arrest, malicious prosecution, and violation of his constitutional rights; and

WHEREAS, plaintiff filed an Amended Complaint on February 19, 2009; and

WHEREAS, defendants City of New York and Police Officer Carlos Roldan, by their attorney, Michael A. Cardozo, Corporation Counsel of the City of New York, filed an Answer to the Amended Complaint on April 20, 2009; and

WHEREAS, defendant Police Officer Alfredo Brewster, by his attorney, John W. Burns, filed an Answer to the Amended Complaint with cross-claims against defendant City of New York on July 15, 2009; and

WHEREAS, defendants deny any and all liability arising out of plaintiff's claims and deny any an all liability; and

WHEREAS, defendant City of New York denies liability arising out of defendant Police Officer Alfredo Brewster's cross-claims; and

WHEREAS, the parties now desire to resolve plaintiff's claims against defendants without further proceedings and without admitting any fault or liability; and

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, as attorneys of record for the respective parties, as follows:

1. The City of New York, on behalf of itself and Police Officer Carlos Roldan, shall pay plaintiff's attorney on behalf of plaintiff twenty thousand dollars (\$20,000.00), in full settlement of all claims against defendants, including claims for attorney's fees and costs ("the settlement amount").

2. Payment of the settlement amount shall be made by forwarding a check directly to plaintiff's attorney at 25 Washington Street, Suite 502, Brooklyn, New York 11201 and made jointly payable to plaintiff and Wadeedah Sheeheed, Esq. in the amount of twenty thousand dollars (\$20,000.00). The City of New York shall make payment of the settlement amount within 120 days of receipt of the following: 1) a "So Ordered" copy of this stipulation; 2) plaintiff's counsel's Taxpayer ID number; 3) plaintiff's Social Security number; 4) a release executed by plaintiff; and 5) an Affidavit of No Liens.

3. In consideration for the relief detailed in paragraphs 1 and 2 above, and conditioned upon payment of the settlement amount, all of plaintiff's claims against all defendants are voluntarily dismissed with prejudice.

4. Defendant Police Officer Alfredo Brewster's cross-claims against defendant City of New York are voluntarily dismissed with prejudice.

5. Plaintiff and his attorney hereby waive any right to apply for, and shall not apply for, any order authorizing the taxation of costs or disbursements with regard to the claims against defendants. Plaintiff and his attorney hereby waive any right to apply for, and shall not apply for, any order pursuant to 42 U.S.C. § 1988 authorizing the taxation of attorney's fees and costs in conjunction with the claims against defendants.

6. Upon payment of the settlement amount, plaintiff shall be deemed to have released the City of New York, and all departments, officials, employees, representatives and agents of the City, past and present, from each and every claim and right to damages arising from the acts and omissions complained of in the Amended Complaint. Plaintiff has executed, or will execute, a release to be held by the City, which will take effect upon payment of the settlement amount.

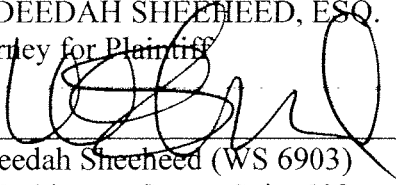
7. This stipulation is not to be construed as an admission that defendants violated plaintiff's constitutional rights or are in any way liable on plaintiff's constitutional claims against defendants.

8. This stipulation, and the settlement it represents, shall not be admissible in any other litigation or settlement negotiation.

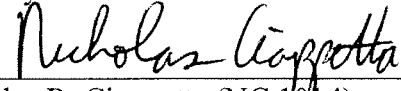
9. This stipulation may be submitted to the Court to be so ordered, docketed and filed without further notice to any party.

Dated: New York, New York
July 21, 2009

WADEEDAH SHEEHED, ESQ.
Attorney for Plaintiff

By: 
Wadeedah Sheehed (WS 6903)
25 Washington Street, Suite 502
Brooklyn, New York 11201
(718) 855-8417

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendants

By: 
Nicholas R. Ciappetta (NC 1014)
100 Church Street, Rm. 5-319
New York, New York 10007
(212) 788-0708

WORTH, LONGWORTH & LONDON, LLP
Attorney for Defendant Officer Alfredo Brewster

By: _____
John W. Burns (JWB 1072)
111 John Street – Suite 640
New York, New York 10038
(212) 964-8038

IT IS SO ORDERED

this ____ day of _____, 2009.

U.S.D.J. Allyne R. Ross


WADEEDAH SHEEHEED, ESQ.
Attorney for Plaintiff

By: _____
Wadeedah Sheeheed (WS 6903)
25 Washington Street, Suite 502
Brooklyn, New York 11201
(718) 855-8417

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendants

By: _____
Nicholas R. Ciappetta (NC 1014)
100 Church Street, Rm. 5-319
New York, New York 10007
(212) 788-0708

WORTH, LONGWORTH & LONDON, LLP
Attorney for Defendant Officer Alfredo Brewster

By: 
John W. Burns (JWB 1072)
111 John Street – Suite 640
New York, New York 10038
(212) 964-8038

IT IS SO ORDERED

this ____ day of _____, 2009.

U.S.D.J. Allyne R. Ross